IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1142 OF 2003
IN
INCOME TAX APPEAL (L) NO.328 OF 2003

The Commissioner of Income-tax
Mumbai City XXI .. Appellant.
V/s.
Late Smt.Gulabanoo A. Kurlawala
through L/h Shri Allaudin A.
Kurlawala, Mumbai .. Respondent.

Mr.R.K. Sharma i/by Mr.K.B. Rao for the appellant.
None for the respondent.

CORAM : H.L. GOKHALE &
J.P. DEVADHAR, JJ.

DATED : 11TH SEPTEMBER, 2006.

P.C. :

1. Heard Mr.Sharma in support of this motion. The motion seeks condonation of delay of 59 days in filing the appeal. The ground given for condonation is restructuring of the department. The motion has been served on the served but none present. In the circumstances, we accept the explanation which has not been objected to.

2. The notice of motion is allowed in terms of prayer (a). Delay is condoned. The appeal be numbered and be listed for admission on 18th September, 2006.

(H.L. GOKHALE, J.)

(J.P. DEVADHAR, J.)